

of the laws of Canada. According to the Federal Court Act (RSC 1970, c.10), the court was established as a court of law, equity and admiralty, and it is a superior court of record having both civil and criminal jurisdiction. The Federal Court replaced the Exchequer Court of Canada which had been in operation since 1875.

The court has two divisions, an appeal division and a trial division. The court of appeal consists of the chief justice and nine other judges. The trial division consists of the associate chief justice and 11 other judges. Every judge is an *ex officio* member of the division of which he is not a regular member.

While all judges must live in or near the national capital region, each division of the court can sit any place in Canada. The place and time of the sittings must be arranged to suit the convenience of the litigants. There is authority in the statute for a rotation of judges to provide for continuity of judicial availability in any place where the volume of work, or other circumstances, makes such an arrangement expedient.

**Chief Justice and judges** of the Federal Court of Canada, as of June 29, 1984:

Chief Justice, Hon. Mr. Justice Arthur Louis Thurlow (appointed to appeal division June 1, 1971; appointed associate chief justice December 4, 1975; appointed chief justice January 4, 1980)

Associate Chief Justice, Hon. Mr. Justice James Alexander Jerome (appointed February 18, 1980).

#### **Federal Court of Appeal:**

Hon. Mr. Justice Darrel Verner Heald (appointed to trial division July 9, 1971; appointed to appeal division, December 4, 1975)

Hon. Mr. Justice James Knatchbull Hugessen (appointed July 18, 1983)

Hon. Mr. Justice Patrick Morgan Mahoney, PC (appointed to trial division September 13, 1973; appointed to appeal division July 18, 1983)

Hon. Mr. Justice Joseph Augustine Louis Marceau (appointed to trial division December 23, 1975; appointed to appeal division July 18, 1983)

Hon. Mr. Justice Louis Pratte (appointed to trial division June 10, 1971; appointed to appeal division January 25, 1973)

Hon. Mr. Justice William F. Ryan (appointed April 11, 1974)

Hon. Mr. Justice Arthur Joseph Stone (appointed July 18, 1983)

Hon. Mr. Justice John J. Urie (appointed April 19, 1973)

Hon. Mr. Justice Mark MacGuigan (appointed June 29, 1984).

#### **Federal Court Trial Division**

Hon. Mr. Justice Angus Alexander Cattanach (appointed to Exchequer Court March 22, 1962; appointed June 1, 1971)

Hon. Mr. Justice Frank U. Collier (appointed September 16, 1971)

Hon. Mr. Justice Jean-Eudes Dubé, PC (appointed April 9, 1975)

Hon. Mr. Justice John C. McNair (appointed July 18, 1983)

Hon. Mr. Justice Francis C. Muldoon (appointed July 18, 1983)

Hon. Madam Justice Barbara Joan Reed (appointed November 17, 1983)

Hon. Mr. Justice Paul Rouleau (appointed August 5, 1982)

Hon. Mr. Justice Barry Louis Strayer (appointed July 18, 1983)

Hon. Mr. Justice Allison Arthur Mariotti Walsh (appointed to the Exchequer Court, July 1, 1964; appointed June 1, 1971, became a supernumerary judge as of June 1, 1984)

Hon. Mr. Justice George A. Addy (appointed September 17, 1973; became a supernumerary judge as of September 1, 1983)

Hon. Mr. Justice Pierre Denault (appointed June 29, 1984)

Hon. Mr. Justice L. Marcel Joyal (appointed June 29, 1984)

Hon. Mr. Justice Yvon Pinard (appointed June 29, 1984).

#### **20.2.4 Provincial judiciary**

Certain provisions of the constitution govern to some extent the provincial judiciary. Under Section 92(14) the legislature of each province exclusively may make laws in relation to the administration of justice in the province including the constitution, maintenance and organization of provincial courts of both civil and criminal jurisdiction. Section 96 provides that the Governor General shall appoint the judges of the superior, district and county courts in each province, except those of the courts of probate in Nova Scotia and New Brunswick.

#### **20.2.5 Territorial judiciary**

In 1971 amendments now cited as RSC 1970, c.48 (1st supplement) to the Yukon Act and the Northwest Territories Act were proclaimed in force, simultaneously with certain ordinances of Yukon and Northwest Territories, allowing the territorial governments to assume responsibility for the administration of justice other than the conduct of criminal prosecutions.

**Yukon** created a court of appeal, a supreme court and a territorial court through territorial legislation in 1971. The court of appeal, as established by the Court of Appeal Act (RSYT 1971, c. C-20) consists of the resident justice of Yukon, plus a resident justice of Northwest Territories, the chief justice of British Columbia and nine judges of the court of appeal of British Columbia. The court sits primarily in Vancouver, but also has sittings in Whitehorse. The supreme court, according to the Supreme Court Act (RSYT 1971, c. T-2) consists of the resident justice of Yukon, a resident justice of Northwest Territories, and when required, three judges from British